

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
AUGUST 8, 2006**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, August 8, 2006 in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	present
Board member Victor J. Knies	absent
Board member Thomas R. Schmidt	present

Also present were Police Chief Richard Gunselman, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Personnel/Safety Director Charles Schneider, Fire Chief Kenneth Hochgesang, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita Boehm. Building Commissioner David Seger was absent.

Clerk-Treasurer Juanita Boehm announced that a majority of the board members must be present for a quorum. Two of the three board members were present which constitutes a majority; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all present to join him in the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on July 25, 2006. A **motion** was made by Thomas Schmidt and seconded by Mayor Schmitt to approve the minutes as presented. Motion carried 2-0.

SITE FOR FLAG BURNING CEREMONIES

Daniel Lawson, Post Adjutant for American Legion Post 147, 1220 Newton Street, said there is a ritual for the proper disposal of American flags and the Legion would like to establish a permanent site for this flag burning ceremony. He proposed using a 4' x 4' concrete culvert as the pit, but said the culvert would be painted, decorated with the armed forces emblems, and has a decorative stone base. Lawson said the pit would not look like a concrete culvert when it is finished. Lawson asked permission to install the culvert on the Legion's Main Street property that it recently purchased and is located directly behind the American Legion Post. Mr. Lawson showed pictures of where the pit would be installed. He said there is a 16'-18' strip of vacant land located between the new parking lot and the Main Street exit from the property. The pit would be located at the west end of this strip of land. He said flag burning rituals would involve the military branches, city government, fire and police departments, as well as boy scouts and girl scouts. He said about 10 to 12 flags would be burned at a time, and there would be approximately three ceremonies a year. There followed some discussion. Fire Chief Hochgesang was concerned other trash might be placed in the pit and Mayor Schmitt wanted assurance that the culvert would not look like a culvert coming out of the ground.

Thereafter, a **motion** was made by Thomas Schmidt and seconded by Mayor Schmitt to allow American Legion Post 147 to install a culvert pit for flag burning ceremonies behind their building as long as the pit looks like what was described today. Motion passed 2-0.

CROSSWALK RE-LOCATION

Jeff Maylor, representative of Kimball International, requested re-locating an existing crosswalk on Kimball Blvd. to coincide with some changes Kimball is making to their parking lot entrance. Street Commissioner Raymond Eckerle presented a map of the area, which is at Kimball Boulevard and Twelfth Avenue. Mr. Maylor showed the position of the existing crosswalk and the proposed position for the new crosswalk that will line up with the sidewalk. Police Chief Gunselman and City Engineer Hurm stated that this would be a better location for the crosswalk.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Kimball International to relocate the crosswalk on Kimball Boulevard with Kimball being responsible for costs incurred. Motion passed 2-0.

BROOKSTONE ESTATES II AND III

Ken Brosmer, Brosmer Land Surveying, representing Kerstiens Corporation, developer of Brookstone Estates II and Durchholz Excavating and Construction, developer of Brookstone Estates III, requested approval for the two plats. Mr. Brosmer presented the plats and stated that the Planning Commission had approved the plats.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the subdivision plats for Brookstone Estates II and Brookstone Estates III. Motion passed 2-0.

HOCHGESANG AGREEMENT-CR 150N IMPROVEMENT

Ken Brosmer, Brosmer Land Surveying, stated that Michael and Patricia Hochgesang are planning to develop a subdivision called Timber Creek on part of their farm on County Road 150N on the west side of Jasper. Brosmer explained that County Road 150N is hilly and has sight distance problems. Mayor Schmitt said the developers have requested annexation and the subdivision could possibly be annexed within a year or so. The platting process requires some improvements to County Road 150N but does not require the additional improvements that would help eliminate the sight distance problems. Brosmer said the Hochgesangs intend to make the additional sight distance improvement of 500 feet by 24 feet to County Road 150N but have requested the City's assistance in paying for the additional improvements because said improvement is not required in the platting process and because the improvement would benefit a road that could come under the City's jurisdiction. The Mayor said the agreement states that the City agrees to reimburse the developers up to \$25,000.00 if and when that area is annexed to the City. The Mayor added that the City is not obligated for any payment if the annexation does not go into effect by January 1, 2009.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to enter into an agreement between the City of Jasper and Michael J. Hochgesang and Patricia H. Hochgesang concerning road improvements on County Road 150N. Motion passed 2-0.

REPORTS - STREET DEPARTMENT

Street Commissioner Raymond Eckerle reported that the recent heavy storms had played havoc with storm sewer systems. He also gave an update on the Mill Street widening project.

REPORTS – POLICE DEPARTMENT

Police Chief Richard Gunselman presented and explained the following reports:

Jasper Police Department 2006 Strassenfest Manpower Summary
Jasper Police Department 2006 Strassenfest Activity Report
Jasper Police Department July 2006 Monthly Activity Report.

NEW POLICE OFFICER

Police Chief Richard Gunselman requested hiring a replacement police officer to fill a department slot when he leaves. Mayor Schmitt reported that there were two individuals left on the established eligibility list and recommended Jeremy Burger for the replacement position from that list.

On motion by Mayor Schmitt and seconded by Thomas Schmidt, a “Conditional Offer of Employment” was offered to Jeremy Burger for the position of Jasper Police Department Probationary Police Officer, and that the position would become effective after all conditions of the “Conditional Offer of Employment” have been met, but not before Monday, August 28, 2006. Motion passed 2-0.

POLICE OFFICER APPLICATION LIST

Police Chief Richard Gunselman requested permission to retain the remaining individual on the eligibility list. He also requested beginning the application process for hiring police officers again.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to the police department, through the guidance of the personnel and safety department, to start the application process for police officers for the Jasper Police Department and to retain the remaining individual on the eligibility list. Motion passed 2-0.

ORDINANCE REGULATING ANIMALS

City Attorney Hemmerlein proposed changes to the ordinance regulating animals in the City of Jasper and advised on recommending the changes to the Common Council to update the ordinance. The City Attorney advised on having only one section for penalties for violations. She also recommended clarifying who would be responsible for paying fees for animals needing treatment and if they are confined or impounded.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to recommend to the Common Council to make the necessary changes to the ordinance regulating animals within the City of Jasper. Motion passed 2-0.

STOP SIGNS – HABIG STREET & TWELFTH AVENUE

City Engineer Chad Hurm reported that a traffic study had been conducted by the Police, Street and Engineering Departments at the intersection of Habig Street and Twelfth Avenue. He said as a result of the study, the Engineering Department recommends that the intersection of Habig Street and Twelfth Avenue be designated a two-way stop with Twelfth Avenue having the Right-of-Way. He said it is presently a one-way stop intersection.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to recommend to the Common Council that the intersection of Habig Street and Twelfth Avenue be designated a two-way stop with Twelfth Avenue having the Right-of-Way. Motion passed 2-0.

PORTERSVILLE ROAD TRAFFIC STUDIES

City Engineer Chad Hurm reported that a traffic study had been conducted by the Police, Street and Engineering Departments on a portion of Portersville Road. He said, as a result of the study, the Engineering Department recommends that the section of Portersville Road between 41st Street and Ackerman Road be designated No Parking.

A **motion** was made by Thomas Schmidt and seconded by Mayor Schmitt to recommend to the Common Council that the section of Portersville Road between 41st Street and Ackerman Road be designated No Parking on both sides. Motion passed 2-0.

Hurm then recommended the road be striped as a two-lane with a center turning lane.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to make Portersville Road from 41st Street to Ackerman Road two-way traffic with a center turn lane. Motion passed 2-0.

LINE OF SIGHT OBSTRUCTION

City Engineer Chad Hurm reported that traffic studies had been conducted by the Police, Street and Engineering Departments on two locations as listed below. He said as a result of the study, the Engineering Department recommends that the sight distance obstruction at the southwest corner of Poplar and Schuetter Road be removed and the landscaping between Holiday Liquors and McDonalds Restaurant be removed within the Highway Right-of-Way. Police Chief Gunselman reported that the various parties had been notified.

6TH AND NEWTON LANE CHANGES

City Engineer Hurm reported that Indiana Department of Transportation (INDOT) had proposed certain traffic control improvements on US 231 at 6th and Newton Street and requests concurrence from the City of Jasper. Hurm said INDOT wants to establish the following lane usage: “RIGHT LANE ONLY” for Southbound traffic on US 231 (Newton St.) in the exterior lane of the north approach from the north curb line of 6th Street to the south curb line of 7th St., a distance of approximately 235 feet.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to concur with the recommendation of Indiana Department of Transportation and sign the

form that states you are agreeing with the proposed changes at 6th and Newton Streets. Motion passed 2-0.

WERNSING ROAD WATER LINES

City Engineer Chad Hurm reported that the Water Department had requested running a new water line along Wernsing Road around the back of the new Equipment Building at the Street Department and vacating the existing line on Wernsing Road. There followed some discussion about obtaining an easement. City Attorney Hemmerlein advised on having the City Engineer provide a legal description of where the line would run.

HEMLOCK DRIVE WIDENING

Mayor Schmitt commented that Mr. Holweger is developing Brentwood subdivision which is adjacent to Hemlock Drive and suggested using Holweger's contractor, Knies Construction, to widen Hemlock Drive at the same time road work is done in that subdivision. Schmitt said he spoke with property owners, Cletus and Virlee Schepers and Henry and Marcella Fleck, and they have agreed to partner with the City and pay for curb and guttering if the City pays to widen the street.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to widen Hemlock Drive and to partner with the homeowners, Cletus and Virlee Schepers and Henry and Marcella Fleck and to utilize Knies Construction and reimburse Knies when they do this work in conjunction with the Holweger project. Motion passed 2-0.

HIGH WEED COMPLAINTS

Code Enforcement Officer Kenneth Hochgesang reported for publication the names of property owners that had been cited under section 5.12.040, weed removal/notice. The names and property locations were as follows:

<u>Owner</u>	<u>Location of Lot</u>
Darryl and LeAnne Huls	322 W. 13 th Street.
Mary Herberer	313 E. 8th St.
Hook SuperX Inc.	550 Hoffman Road
Jason & Carla Moore	522 S. Truman Road

REPORT – STRASSENFEST

Fire Chief Kenneth Hochgesang reported that the Fest went well and that the Fire Marshall's inspections had found only minor issues. He said there was a problem with the beer garden because the Jaycees did not clean up litter as previously agreed. He also reported that the Jaycees had not posted a guard at one of the emergency exits. City Attorney Hemmerlein suggested addressing the problems at the follow-up meeting.

BLOCK PARTY STREET CLOSING

Mayor Schmitt read a letter from Brenda Stenftenagel of Brandon Avenue who requested closing Brandon Avenue on Sunday, September 3, 2006 from noon to midnight for a neighborhood block party. Mayor Schmitt stated that he would give a copy of the letter to the Street Commissioner so he could contact Stenftenagel to see if barricades are needed.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to close Brandon Avenue on Sunday, September 3, 2006 from noon until midnight for a neighborhood block party. Motion passed 2-0.

INDOT-LPA CONTRACT FOR MILL PROJECT

Mayor Schmitt reported that the City had received a Transportation and Enhancement Grant for the reconstruction of the old mill as a Visitor Center in Jasper. Schmitt presented a Construction and Project Management Contract and asked the Board to approve this agreement between INDOT and the City of Jasper as the Local Public Agency. The agreement outlines the LPA's share of the cost and other requirements.

On **motion** by Mayor Schmitt and seconded by Thomas Schmidt, approval was given to have the Board of Public Works and Safety sign and approve the Agreement with the Indiana Department of Transportation subject to the approval of the appropriation for the local match by the Jasper City Council. Motion passed 2-0.

The Mayor explained that the City was a pass-through for funds that have been collected through ROJAC.

EASEMENTS

City Attorney Sandy Hemmerlein presented the following easements for acceptance and approval:

Grant of Permanent Gas Utility Easement

Michael I. & Patricia J. Oser – Part of Section 1, Township 2 South, Range 5 West
Carlene Schroeder – Part of Section 1, Township 2 South, Range 5 West
James & Florentine Block – Part of Lot 21 in the James F. Hochgesang First Addition and part of vacated St. James Avenue.
Leo Fischer – Part of Section 1, Township 2 South, Range 5 West
Brett A. Werner & Brooke A. Rohleder – Part of Sect.1, Township 2 South, Range 5 West
Glenn P. Horney & Pamela S. Sermersheim – Part of Section 1, Township 2 South, Range 5 West
Ronald G. & Betty Garland – Part of Section 1, Township 2 South, Range 5 West
Rosella Wagner – Part of Lot 20 in James F. Hochgesang First Addition
Charles A. & Geraldine M. Seger – Part of Section 1, Township 2 South, Range 5 West
The Charles E. Knust & Gladys M. Knust Revocable Living Trust, Charles E. and Gladys M. Knust, Trustees and a life estate to Charles E. and Gladys M. Knust – Part of Section 1, Township 2 South, Range 5 West
Kenneth W. Kraft & Mary Lee Kraft Revocable Living Trust Agreement, Kenneth W. Kraft and Mary Lee Kraft, Trustees – Part of Section 1, Township 2 South, Range 5 West
Madeline Investment Group LLC, By Michael J. Schmitt II – Part of Section 1, Township 2 South, Range 5 West and a part of vacated James F. Hochgesang First Addition South of St. James Avenue.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve and accept the easements as listed above. Motion passed 2-0.

CLAIMS

Claims against the City from July 7, 2006 through August 3, 2006 were presented and examined by the board. Those claims found to be just, due, and owing were approved upon **motion** by Thomas Schmidt and seconded by Mayor Schmitt. Motion carried 2-0.

ADJOURNMENT

There being no further business to come before the board, a **motion** was made by Thomas Schmidt and seconded by Mayor Schmitt to adjourn the meeting. The motion carried 2-0 and the meeting adjourned at 9:20 a.m.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary